

IN THE SENATE

SENATE BILL NO. 1016

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO DRIVER'S LICENSES AND PERMITS; AMENDING SECTION 49-104, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 49-110, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-115, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 49-305, IDAHO CODE, TO PROVIDE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE FOR THE VALIDITY OF COMMERCIAL LEARNER'S PERMITS AND CLASS D INSTRUCTION PERMITS, TO PROVIDE FOR THE RENEWAL OF THOSE PERMITS WITHOUT RETAKING A TEST UNDER CERTAIN CONDITIONS AND TO PROVIDE FOR THE RENEWAL OF MOTORCYCLE ENDORSEMENT INSTRUCTION PERMITS WITHOUT RETAKING A TEST UNDER CERTAIN CONDITIONS; AMENDING SECTION 49-306, IDAHO CODE, TO PROVIDE AN APPLICATION FEE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE AN EXCEPTION ASSOCIATED WITH CERTAIN APPLICATION REQUIREMENTS FOR PROVIDING PROOF OF IDAHO RESIDENCY AND AN IDAHO MAILING ADDRESS, TO PROVIDE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE FOR PROOF OF UNITED STATES CITIZENSHIP OR LAWFUL PERMANENT RESIDENCY IN ASSOCIATION WITH CERTAIN APPLICATIONS, TO PROVIDE AN EXCEPTION, TO REQUIRE THAT CERTAIN APPLICANTS PROVIDE SPECIFIED UNEXPIRED EMPLOYMENT AUTHORIZATION DOCUMENTS OR UNEXPIRED FOREIGN PASSPORT ACCOMPANIED BY AN APPROVED I-94 FORM AND TO REVISE PROVISIONS RELATING TO THE DISTRIBUTION OF MONEYS RECEIVED FROM CERTAIN FEES; AND AMENDING SECTION 49-306, AS AMENDED BY SECTION 2, CHAPTER 354, LAWS OF 2013, TO PROVIDE AN APPLICATION FEE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE AN EXCEPTION ASSOCIATED WITH CERTAIN APPLICATION REQUIREMENTS FOR PROVIDING PROOF OF IDAHO RESIDENCY AND AN IDAHO MAILING ADDRESS, TO PROVIDE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE FOR PROOF OF UNITED STATES CITIZENSHIP OR LAWFUL PERMANENT RESIDENCY IN ASSOCIATION WITH CERTAIN APPLICATIONS, TO PROVIDE AN EXCEPTION, TO REQUIRE THAT CERTAIN APPLICANTS PROVIDE SPECIFIED UNEXPIRED EMPLOYMENT AUTHORIZATION DOCUMENTS OR UNEXPIRED FOREIGN PASSPORT ACCOMPANIED BY AN APPROVED I-94 FORM AND TO REVISE PROVISIONS RELATING TO THE DISTRIBUTION OF MONEYS RECEIVED FROM CERTAIN FEES; AMENDING SECTION 49-313, IDAHO CODE, TO PROVIDE FOR THE EXAMINATION OF APPLICANTS FOR COMMERCIAL LEARNER'S PERMITS; AND AMENDING SECTION 6, CHAPTER 354, LAWS OF 2013, TO REVISE A CONTINGENT EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 49-104, Idaho Code, be, and the same is hereby amended to read as follows:

49-104. DEFINITIONS -- C. (1) "Cancellation of driver's license" means the annulment or termination by formal action of the department of a person's driver's license because of some error or defect in the driver's license or because the licensee is no longer entitled to the driver's li-

1 cense. The cancellation of a driver's license is without prejudice and after  
 2 compliance with requirements, the individual may apply for a new driver's  
 3 license at any time after cancellation.

4 (2) "Caravaning" means the transportation of any motor vehicle into,  
 5 out of, or within the state operating on its own wheels or in tow for the pur-  
 6 pose of sale or offer of sale by any agent, dealer, manufacturer's represen-  
 7 tative, purchaser, or prospective purchaser, regardless of residence unless  
 8 the motor vehicle is licensed by the state of Idaho, or is owned by an auto-  
 9 mobile dealer, duly licensed as a dealer by this state. It shall also be con-  
 10 sidered as the transportation of property for hire by a motor vehicle upon  
 11 the highways of this state.

12 (3) "Certificate of liability insurance" means a certificate of lia-  
 13 bility insurance issued by an insurance company authorized to do business  
 14 in this state or a certificate of liability insurance issued by the depart-  
 15 ment of insurance which demonstrates current insurance against loss result-  
 16 ing from liability imposed by law for bodily injury or death or damage to  
 17 property suffered by any person caused by accident and arising out of the op-  
 18 eration, maintenance or use of a motor vehicle described in the certificate  
 19 in an amount not less than that required by section 49-117(18), Idaho Code,  
 20 and also demonstrates the current existence of any other coverage required  
 21 by title 41, Idaho Code, or a certificate of self-insurance issued pursuant  
 22 to law for each motor vehicle to be registered. A certificate of liability  
 23 insurance shall contain the information required by the department of insur-  
 24 ance, including the name and address of the owner of the motor vehicle and a  
 25 description of the motor vehicle including identification number if there is  
 26 one, or a statement that all vehicles owned by a person or entity are covered  
 27 by insurance, the inception date of coverage, and the name of the insurer.  
 28 "Certificate of liability insurance" may also include the original contract  
 29 of liability insurance or a true copy, demonstrating the current existence  
 30 of the liability insurance described in this subsection.

31 (4) "Certification of safety compliance" means that a motor carrier  
 32 certifies as part of its registration process that it has knowledge of the  
 33 federal regulations and rules promulgated by the Idaho transportation de-  
 34 partment and the Idaho state police applicable to motor carriers.

35 (5) "Chains" means metal traction devices required pursuant to section  
 36 49-948, Idaho Code, which consist of two (2) circular metal loops, one (1)  
 37 on each side of the tire, connected by not less than nine (9) ~~evenly-spaced~~  
 38 evenly spaced chains across the tire tread.

39 (6) "Coerce" means to compel or attempt to compel by threat or use of  
 40 force.

41 (7) "Commercial coach." (See section 39-4301, Idaho Code)

42 (8) "Commercial driver's license" means any class A, class B or class C  
 43 driver's license as defined in section 49-105, Idaho Code.

44 (9) "Commercial driver license information system (CDLIS)" is the in-  
 45 formation system established to serve as a clearinghouse for locating infor-  
 46 mation related to the licensing and identification of motor vehicle drivers.

47 (10) "Commercial driver training school" means a business enterprise  
 48 conducted by an individual, association, partnership, or corporation, for  
 49 the education and training of persons, either practically or theoretically,

1 or both, to operate or drive motor vehicles, and charging a consideration or  
2 tuition for such services.

3 (11) "Commercial learner's permit" means a permit issued to an indi-  
4 vidual by a state or other jurisdiction of domicile, in accordance with the  
5 standards contained in 49 CFR 383.5, that when carried with a valid driver's  
6 license issued by the same state or jurisdiction, authorizes the individual  
7 to operate a commercial vehicle when accompanied by a holder of a valid com-  
8 mercial driver's license (CDL) for purposes of behind-the-wheel training.

9 (12) "Commercial vehicle" or "commercial motor vehicle." (See "Vehi-  
10 cle," section 49-123, Idaho Code)

11 (123) "Compliance review" means an on-site examination of motor car-  
12 rier operations, which may be at the carrier's place of business, including  
13 driver's hours of service, vehicle maintenance and inspection, driver  
14 qualifications, commercial driver's license requirements, financial re-  
15 sponsibility, accidents, hazardous materials, and such other related safety  
16 and transportation records to determine safety fitness.

17 (134) "Controlled substance" means any substance so classified under  
18 section 102(6) of the controlled substances act, 21 U.S.C. 802(6), and in-  
19 cludes all substances listed on schedules I through V, of 21, CFR part 1308,  
20 as they may be revised from time to time.

21 (145) "Conviction" means:

22 (a) The person has pled guilty or has been found guilty, notwithstand-  
23 ing the form of the judgment or withheld judgment. A conviction for pur-  
24 poses of this title shall also include an infraction judgment.

25 (b) For purposes of disqualification or withdrawal of commercial vehi-  
26 cle driving privileges only, "conviction" means an unvacated adjudica-  
27 tion of guilt, or determination that a person has violated or failed to  
28 comply with the law in a court of original jurisdiction or by an autho-  
29 riized administrative tribunal, an unvacated forfeiture of bail or col-  
30 lateral deposited to secure the person's appearance in court, a plea of  
31 guilty or nolo contendere accepted by the court, the payment of a fine or  
32 court cost, or violation of a condition of release without bail, regard-  
33 less of whether or not the penalty is rebated, suspended or probated.

34 (156) "Crosswalk" means:

35 (a) That part of a highway at an intersection included within the con-  
36 nections of the lateral lines of the sidewalks on opposite sides of the  
37 highway measured from the curbs or in the absence of curbs, from the  
38 edges of the traversable highway; and in the absence of a sidewalk on one  
39 side of the highway, that part of a highway included within the exten-  
40 sion of the lateral lines of the existing sidewalk at right angles to the  
41 centerline.

42 (b) Any portion of a highway at an intersection or elsewhere distinctly  
43 indicated for pedestrian crossing by lines or other markings on the sur-  
44 face.

45 SECTION 2. That Section 49-110, Idaho Code, be, and the same is hereby  
46 amended to read as follows:

47 49-110. DEFINITIONS -- I. (1) "Identifying number" means:

48 (a) Motor number. That identifying number stamped on the engine of a  
49 vehicle.

(b) Vehicle identification number. The numbers and letters, if any, placed on a vehicle by the manufacturer for the purpose of identifying the vehicle.

(2) "Implements of husbandry" means every vehicle including self-propelled units, designed or adapted and used exclusively in agricultural, horticultural, dairy and livestock growing and feeding operations when being incidentally operated. Such implements include, but are not limited to, combines, discs, dry and liquid fertilizer spreaders, cargo tanks, harrows, hay balers, harvesting and stacking equipment, pesticide applicators, plows, swathers, mint tubs and mint wagons, and farm wagons. A farm tractor when attached to or drawing any implement of husbandry shall be construed to be an implement of husbandry. "Implements of husbandry" do not include semitrailers, nor do they include motor vehicles or trailers, unless their design limits their use to agricultural, horticultural, dairy or livestock growing and feeding operations.

(3) "Incidentally operated" means the transport of the implement of husbandry from one (1) farm operation to another.

(4) "Individual record" means a record containing personal information about a designated person who is the subject of the record as identified in a request for information.

(5) "Infraction" means a civil public offense, not constituting a crime, which is not punishable by incarceration and for which there is no right to a trial by jury or right to court-appointed counsel, and which is punishable by only a penalty not exceeding three hundred dollars (\$300) and no imprisonment.

(6) "Instruction permits":

(a) ~~"Class A, B or C instruction permit." means a temporary privilege to operate a motor vehicle for which a commercial driver's license is required; is available only to a person who is eighteen (18) years of age or older; is issued pursuant to the provisions of section 49-305, Idaho Code; and the permittee is subject to the conditions specified therein. (See "Commercial learner's permit," section 49-104, Idaho Code)~~

(b) "Class D driver's training instruction permit" means a temporary privilege to operate a class D motor vehicle while attending classes as an enrollee of a public or private driver's training course only; is available to a person aged fourteen and one-half (14 1/2) years and older; is issued to the instructor of the driver's training course; is issued and expires pursuant to the provisions of section 49-307, Idaho Code; and the permittee is subject to the conditions specified in section 49-307, Idaho Code.

(c) "Class D instruction permit" means a temporary privilege to operate a class D motor vehicle which is available to a person under the age of seventeen (17) years who has successfully completed an approved driver's training course and has satisfied the requirements of a class D supervised instruction permit, or to any person seventeen (17) years of age or older; is valid for a period of one hundred eighty (180) days or as provided in section 49-305, Idaho Code, if applicable; privileges are limited to driving with a person who is at least eighteen (18) years of age who holds a valid class D driver's license and is actually occupying a seat beside the permittee; is issued pursuant to the provisions of

section 49-305, Idaho Code; and the permittee is subject to the conditions specified in section 49-305, Idaho Code.

(d) "Class D supervised instruction permit" means a temporary privilege to operate a class D motor vehicle which is available to a person who is at least fourteen and one-half (14 1/2) years of age who has successfully completed an approved driver's training course. No person may apply for a class D driver's license until he has attained the age of at least fifteen (15) years and has successfully satisfied the requirements of this permit, as specified and issued pursuant to the provisions of section 49-307, Idaho Code.

(7) "Instructor" means any person, whether acting for himself as operator of a commercial driver training school or for such a school for compensation, who teaches, conducts classes of, gives demonstrations to, or supervises practice of, persons learning to operate or drive motor vehicles.

(8) "Insurer" means any insurer, public or private, which shall include, but not be limited to, insurance companies domiciled in the state of Idaho, agents, adjuster or any other person acting on behalf of any insurance not domiciled in the state of Idaho and any self-insured entity operating under Idaho insurance laws or rules.

(9) "International registration plan" means a registration reciprocity agreement among the states of the United States and provinces of Canada providing for payment of registration and licensing fees on a proportional basis determined by the fleet miles operated in the various jurisdictions.

(10) "Intersection" means:

(a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of the divided highway by an intersecting highway shall be regarded as a separate intersection. In the event an intersecting highway also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of the highways shall be regarded as a separate intersection.

(c) The junction of an alley with a street or highway shall not constitute an intersection.

SECTION 3. That Section 49-115, Idaho Code, be, and the same is hereby amended to read as follows:

49-115. DEFINITIONS -- N. (1) "National network" means highways available to vehicles authorized by the provisions of the federal surface transportation assistance act of 1982 as amended, and listed in 23 CFR part 658, appendix A.

(2) "Neighborhood electric vehicle." (See "Vehicle," section 49-123, Idaho Code)

(3) "Noncommercial vehicle." (See "Vehicle," section 49-123, Idaho Code)

(4) "Nondomiciled commercial learner's permit" or "nondomiciled commercial driver's license" means a commercial learner's permit or a commercial driver's license, respectively, issued by a state or other jurisdiction under either of the following conditions:

(a) To an individual domiciled in a foreign country meeting the requirements of 49 CFR 383.23(b) (1); or

(b) To an individual domiciled in another state meeting the requirements of 49 CFR 383.23(b) (2).

(5) "Nonresident" means every person who is not a resident of this state.

(56) "Nonresident's operating privilege" means the privilege conferred upon a nonresident by the laws of this state pertaining to the operation by that person of a motor vehicle, or the use of a vehicle owned by that person, in this state.

SECTION 4. That Section 49-305, Idaho Code, be, and the same is hereby amended to read as follows:

49-305. INSTRUCTION PERMITS -- COMMERCIAL LEARNER'S PERMIT -- TEMPORARY LICENSES -- MOTORCYCLE ENDORSEMENT INSTRUCTION PERMIT. (1) Upon passage of the required knowledge tests appropriate for the vehicle being operated, the department may issue a class A, B or C instruction commercial learner's permit for the type of vehicle(s) the person will be operating, or a class D instruction permit for a class D motor vehicle, entitling the applicant, while having the permit in his immediate possession, to drive a motor vehicle upon the highways for a period of up to one hundred eighty (180) days or as provided in paragraph (b) of this subsection (1) for certain class D instruction permits. That person must be accompanied by an adult driver eighteen (18) years of age or older who holds a valid driver's license appropriate for the vehicle being operated and who is actually occupying a seat beside the driver. Unless otherwise provided, a commercial learner's permit or class D instruction permit will be valid for one hundred eighty (180) days and may be renewed one (1) time without requiring the permit holder to retake and pass the required knowledge tests for that class of permit, provided the knowledge tests are less than one (1) year old.

(a) Any person under the age of seventeen (17) years who has successfully completed an approved driver's training course and has satisfied the requirements of a class D supervised instruction permit, or any person who has reached the age of seventeen (17) years may apply for a class D instruction permit. Any person applying for any class D instruction permit or driving privileges who is under the age of eighteen (18) years shall be in compliance with school attendance requirements of section 49-303A, Idaho Code.

(b) If a person reaches the age of seventeen (17) years while operating a class D vehicle with a class D supervised instruction permit, and such class D supervised instruction permit becomes a class D instruction permit as provided in section 49-307, Idaho Code, then such class D instruction permit shall expire five (5) days after the permittee's eighteenth birthday.

(c) Any person who has reached the age of eighteen (18) years, holds a valid Idaho class D driver's license and has at least one (1) year

of driving experience, may apply for a ~~class A, B or C instruction commercial learner's permit.~~

(d) The department shall not issue a hazardous material endorsement on any ~~instruction commercial learner's permit.~~

(2) The department may, at its discretion, issue a temporary class D driver's license to an applicant for a class D driver's license permitting him to operate a motor vehicle while the department is completing its investigation and determination of all facts relative to the applicant's right to receive a driver's license. The temporary license may be canceled at the department's discretion at any time after issuance. The temporary license must be in the applicant's immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's driver's license has been issued or for good cause has been refused.

(3) A certified copy of an applicant's birth certificate shall be required before a class D driver's license or class D instruction permit will be issued.

(4) The department may issue a motorcycle endorsement instruction permit to an applicant who has a valid driver's license and who has successfully completed the motorcycle rider's knowledge test and paid the appropriate fees. The permit entitles the applicant, while having the permit in his immediate possession, to operate a motorcycle upon the highways for a period not to exceed one hundred eighty (180) days. The motorcycle endorsement instruction permit may be renewed one (1) time without the requirement to retake and pass the motorcycle rider's knowledge test if the test is less than one (1) year old. If the permittee passes the skills test for a motorcycle endorsement within one hundred eighty (180) days of issuance of the motorcycle endorsement instruction permit, he shall not be required to pay the motorcycle endorsement fee. A person holding a motorcycle instruction permit shall not carry any passenger while operating a motorcycle, shall not operate a motorcycle except during the hours of daylight only and shall not operate a motorcycle upon any interstate highway system.

A violation of the conditions of a motorcycle endorsement instruction permit is an infraction. The department shall cancel the permit whether or not such violation results in conviction of the infraction.

SECTION 5. That Section 49-306, Idaho Code, be, and the same is hereby amended to read as follows:

49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT, COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PERMIT. (1) Every application for any instruction permit, restricted school attendance driving permit, or for a driver's license shall be made upon a form furnished by the department and shall be verified by the applicant before a person authorized to administer oaths. Officers and employees of the department and sheriffs and their deputies are authorized to administer the oaths without charge. Every application for a permit, extension or driver's license shall be accompanied by the following fee, none of which is refundable:

- (a) Class A, B, C (4-year) license with endorsements --  
age 21 years and older .....\$40.00
- (b) Class A, B, C (3-year) license with endorsements --

1 age 18 to 21 years .....\$30.00  
 2 (c) Class A, B, C (1-year) license with endorsements --  
 3 age 20 years .....\$15.00  
 4 (d) Class D (3-year) license -- under age 18 years ..... \$25.00  
 5 (e) Class D (3-year) license -- age 18 to 21 years ..... \$25.00  
 6 (f) Class D (1-year) license -- age 17 years or age 20 years .....\$15.00  
 7 (g) Four-year Class D license -- age 21 years and older .....\$30.00  
 8 (h) Eight-year Class D license -- age 21 to 63 years .....\$55.00  
 9 (i) ~~Class A, B, C instruction~~ Commercial learner's permit .....\$29.00  
 10 (j) Class D instruction permit or supervised instruction permit  
 11 .....\$15.00  
 12 (k) Duplicate driver's license or permit issued under  
 13 section 49-318, Idaho Code ..... \$15.00  
 14 (l) Driver's license extension issued under section  
 15 49-319, Idaho Code ..... \$10.00  
 16 (m) License classification change (upgrade) .....\$25.00  
 17 (n) Endorsement addition .....\$15.00  
 18 (o) Class A, B, C skills tests not more than .....\$70.00  
 19 (p) Class D skills test .....\$24.00  
 20 (q) Motorcycle endorsement skills test .....\$10.00  
 21 (r) Knowledge test .....\$ 3.00  
 22 (s) Seasonal driver's license .....\$39.00  
 23 (t) One time motorcycle "M" endorsement .....\$15.00  
 24 (u) Motorcycle endorsement instruction permit .....\$15.00  
 25 (v) Restricted driving permit or restricted school attendance  
 26 driving permit .....\$60.00  
 27 (2) Every application shall state the true and full name, date of birth,  
 28 sex, declaration of Idaho residency, Idaho residence address and mailing ad-  
 29 dress, if different, of the applicant, height, weight, hair color, and eye  
 30 color, and the applicant's social security number as verified by the social  
 31 security administration. If an applicant has submitted an application pur-  
 32 suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-  
 33 cant may state, in his or her application pursuant to this section, the ap-  
 34 plicant's alternative Idaho mailing address in place of his or her Idaho res-  
 35 idence address and mailing address. Notwithstanding the provisions of sec-  
 36 tion 49-303(13), Idaho Code, an applicant for a nondomiciled class A, B or  
 37 C driver's license or nondomiciled commercial learner's permit having res-  
 38 idency in a state that is prohibited from issuing class A, B or C driver's  
 39 licenses or commercial learner's permits, as provided in 49 CFR 384, is ex-  
 40 cepted from providing proof of Idaho residency and an Idaho mailing address.  
 41 (a) The requirement that an applicant provide a social security number  
 42 as verified by the social security administration shall apply only to  
 43 applicants who have been assigned a social security number.  
 44 (b) An applicant who has not been assigned a social security number  
 45 shall:  
 46 (i) Present written verification from the social security admin-  
 47 istration that the applicant has not been assigned a social secu-  
 48 rity number; and



(ii) Submit a birth certificate, passport or other documentary evidence issued by an entity other than a state or the United States; and

(iii) Submit such proof as the department may require that the applicant is lawfully present in the United States.

A driver's license, commercial learner's permit or any instruction permit issued on and after January 1, 1993, shall not contain an applicant's social security number. Applications on file shall be exempt from disclosure except as provided in sections 49-202, 49-203, 49-203A and 49-204, Idaho Code.

(c) Every application for a class A, B or C license shall state where the applicant has been licensed for the preceding ten (10) years and under which of the following driving categories the applicant will operate:

(i) Non-excepted Interstate. The applicant operates or expects to operate in interstate commerce, and is required to provide a medical examiner's certificate;

(ii) Excepted Interstate. The applicant operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted by the federal motor carrier safety administration from all or parts of the qualification requirements of federal motor carrier safety regulation 49, part 391, and is therefore not required to provide a medical examiner's certificate;

(iii) Non-excepted Intrastate. The applicant operates only in intrastate commerce and is subject to and meets all Idaho driver qualification requirements and the applicable parts of federal motor carrier safety regulation 49, part 391, and is required to provide a medical examiner's certificate; or

(iv) Excepted Intrastate. The applicant operates in intrastate commerce, but engages exclusively in exempted transportation or operations as listed in section 67-2901B(2), Idaho Code, and the applicable parts of federal motor carrier safety regulation 49, part 391, and is therefore not required to provide a medical examiner's certificate.

All applications shall also state whether the applicant has previously been licensed as a driver, and if so, when and by what state or country, and whether a driver's license or privileges have ever been suspended, revoked, denied, disqualified, canceled or whether an application has ever been refused, and if so, the date of and reason for the suspension, revocation, denial, disqualification, cancellation or refusal and the applicant's oath that all information is correct as signified by the applicant's signature.

(d) The applicant must submit proof of identity acceptable to the examiner or the department and date of birth as set forth in a certified copy of his birth certificate. When a certified copy of his birth certificate or a delayed birth certificate is impossible to obtain from a vital statistics agency, another government issued document may be submitted that provides satisfactory evidence of a person's full legal name and date of birth acceptable to the examiner or the department.

(e) Every applicant for a class A, B or C driver's license or commercial learner's permit shall provide proof of United States citizenship or lawful permanent residency in the United States upon application for issuance, transfer, upgrade or renewal, unless the applicant's driving record already contains documentation confirming United States citizenship or lawful permanent residency. Every applicant for a nondomiciled class A, B or C driver's license or commercial learner's permit domiciled in a foreign country must provide an unexpired employment authorization document issued by the department of homeland security or an unexpired foreign passport accompanied by an approved I-94 form documenting the applicant's most recent admittance into the United States.

(d) Individuals required to register in compliance with section 3 of the federal military selective service act, 50 U.S.C. App. 451 et seq., as amended, shall be provided an opportunity to fulfill such registration requirements in conjunction with an application for a driver's license, commercial learner's permit or instruction permit. Any registration information so supplied shall be transmitted by the department to the selective service system.

(3) Whenever an application is received from a person previously licensed in another jurisdiction, the department shall request a copy of the driver's record from the other jurisdiction and shall contact the national driver register. When received, the driver's record from the previous jurisdiction shall become a part of the driver's record in this state with the same force and effect as though entered on the driver's record in this state in the original instance.

(4) Whenever the department receives a request for a driver's record from another licensing jurisdiction, the record shall be forwarded without charge.

(5) The department shall contact and notify the commercial driver license information system of the proposed application for a class A, B or C driver's license or commercial learner's permit to ensure identification of the person and to obtain clearance to issue the license.

(6) When the fees required under this section are collected by a county officer, they shall be paid over to the county treasurer not less often than monthly, who shall immediately:

(a) Deposit an amount equal to five dollars (\$5.00) from each driver's license except an eight-year class D license, or any class D instruction permit application fees, application for a duplicate driver's license or permit, classification change, seasonal driver's license and additional endorsement, and ten dollars (\$10.00) from each eight-year class D driver's license, in the current expense fund; and

(b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle endorsement and motorcycle endorsement instruction permit fee in the current expense fund; and

(c) Deposit an amount equal to three dollars (\$3.00) from each fee for a knowledge test in the current expense fund; and

(d) Deposit an amount equal to ten dollars (\$10.00) from each fee for a motorcycle endorsement skills test in the current expense fund; provided however, if a contractor administers the skills test he shall be entitled to the ten dollar (\$10.00) fee; and

1 (e) Remit the remainder to the state treasurer; and

2 (f) Deposit seventeen dollars and fifty cents (\$17.50) from each fee  
3 for a class D skills test into the county current expense fund, unless  
4 the test is administered by a department-approved contractor, in which  
5 case the contractor shall be entitled to seventeen dollars and fifty  
6 cents (\$17.50) of each fee.

7 (7) When the fees required under this section are collected by a state  
8 officer or agency, they shall be paid over to the state treasurer.

9 (8) The state treasurer shall distribute the moneys received from fees  
10 imposed by the provisions of this section, whether collected by a county of-  
11 ficer or by a state officer or agency as follows:

12 (a) Two dollars (\$2.00) of each fee for a four-year driver's license  
13 or seasonal driver's license, and four dollars (\$4.00) of each fee for  
14 an eight-year class D driver's license, and one dollar and fifty cents  
15 (\$1.50) of each fee charged for driver's licenses pursuant to subsec-  
16 tions (1) (b), (d) and (e) of this section, and fifty cents (50¢) of each  
17 fee charged for driver's licenses pursuant to subsections (1) (c) and  
18 (f) of this section, shall be deposited in the emergency medical ser-  
19 vices fund II created in section 56-1018A, Idaho Code, and four dollars  
20 (\$4.00) of each fee charged pursuant to subsections (1) (a), (g) and (s)  
21 of this section and eight dollars (\$8.00) of each fee charged pursuant  
22 to subsection (1) (h) of this section and three dollars (\$3.00) of each  
23 fee for driver's licenses pursuant to subsections (1) (b), (d) and (e)  
24 of this section, and one dollar (\$1.00) of each fee charged for driver's  
25 licenses pursuant to subsections (1) (c) and (f) of this section shall be  
26 deposited in the emergency medical services fund III created in section  
27 56-1018B, Idaho Code; and

28 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,  
29 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)  
30 of each fee charged for a license pursuant to subsection (1) (b) of this  
31 section, and eight dollars and sixteen cents (\$8.16) of each fee charged  
32 for a license pursuant to subsection (1) (c) of this section shall be de-  
33 posited in the state highway account; and

34 (c) Twenty dollars (\$20.00) of each fee for a ~~class A, B or C instruction~~  
35 commercial learner's permit or driver's license classification change  
36 shall be deposited in the state highway account; and

37 (d) Four dollars (\$4.00) of each fee for a ~~class A, B or C instruction~~  
38 commercial learner's permit shall be deposited in the emergency medical  
39 services fund III created in section 56-1018B, Idaho Code; and

40 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class  
41 A, B or C driver's license, class A, B or C driver's license extension,  
42 or additional endorsement shall be deposited in the state highway ac-  
43 count; and

44 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle  
45 endorsement and motorcycle endorsement instruction permit shall be de-  
46 posited in the state highway account; and

47 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year  
48 class D driver's license, and ten dollars and sixty cents (\$10.60) of  
49 each fee for an eight-year class D driver's license, and four dollars  
50 (\$4.00) of each fee charged for a license pursuant to subsections (1) (d)

1 and (e) of this section, and one dollar and thirty-three cents (\$1.33)  
2 of each fee charged for a license pursuant to subsection (1) (f) of this  
3 section shall be deposited in the driver training fund; and

4 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a  
5 four-year class D driver's license, and twenty dollars and forty cents  
6 (\$20.40) of each fee for an eight-year class D driver's license, and ten  
7 dollars and fifty cents (\$10.50) of each fee charged for a license pur-  
8 suant to subsections (1) (d) and (e) of this section, and six dollars and  
9 eighty-three cents (\$6.83) of each fee charged for a license pursuant  
10 to subsection (1) (f) of this section shall be deposited in the highway  
11 distribution fund; and

12 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D in-  
13 struction permit, duplicate class D license or permit, and class D li-  
14 cense extension shall be deposited in the driver training fund; and

15 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D  
16 instruction permit, duplicate class D license or permit, and class D  
17 license extension shall be deposited in the highway distribution fund;  
18 and

19 (k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test  
20 shall be deposited in the state highway account; and

21 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D  
22 driver's license, and two dollars (\$2.00) of each fee for an eight-year  
23 class D driver's license, and one dollar (\$1.00) of each fee charged for  
24 a license pursuant to subsections (1) (b), (d) and (e) of this section,  
25 and thirty-four cents (34¢) of each fee charged for a license pursuant  
26 to subsections (1) (c) and (f) of this section shall be deposited in the  
27 motorcycle safety program fund established in section 33-4904, Idaho  
28 Code; and

29 (m) Six dollars and fifty cents (\$6.50) of each fee for a class D skills  
30 test shall be deposited into the state highway account.

31 (9) The contractor administering a class A, B or C skills test shall be  
32 entitled to not more than sixty dollars (\$60.00) of the skills test fee. A  
33 contractor administering a class A, B or C skills test may collect an addi-  
34 tional fee for the use of the contractor's vehicle for the skills test.

35 (10) Sixty dollars (\$60.00) of each restricted driving permit and each  
36 restricted school attendance driving permit shall be deposited in the state  
37 highway account.

38 (11) The department may issue seasonal class B or C driver's licenses to  
39 drivers who are employees of agri-chemical businesses, custom harvesters,  
40 farm retail outlets and suppliers, and livestock feeders that:

41 (a) Will only be valid for driving commercial vehicles that normally  
42 require class B or C commercial driver's licenses;

43 (b) Will be valid for seasonal periods that begin on the date of is-  
44 suance and that are not to exceed one hundred eighty (180) days in a  
45 twelve (12) month period;

46 (c) May only be obtained twice in a driver's lifetime;

47 (d) Are valid only within a one hundred fifty (150) mile radius of the  
48 place of business or farm being serviced; and

49 (e) Will be valid only in conjunction with valid Idaho class D driver's  
50 licenses.

(12) The department may issue seasonal class B or C driver's licenses to drivers who:

- (a) Have not violated the single license provisions of applicable federal regulations;
- (b) Have not had any license suspensions, revocations or cancellations;
- (c) Have not had any convictions in any vehicle for any offense listed in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic offense;
- (d) Have at least one (1) year of driving experience with a class D or equivalent license in any type motor vehicle; and
- (e) Are at least sixteen (16) years old.

SECTION 6. That Section 49-306, Idaho Code, as amended by Section 2, Chapter 354, Laws of 2013, be, and the same is hereby amended to read as follows:

49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT, COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PERMIT. (1) Every application for any instruction permit, restricted school attendance driving permit, or for a driver's license shall be made upon a form furnished by the department and shall be verified by the applicant before a person authorized to administer oaths. Officers and employees of the department and sheriffs and their deputies are authorized to administer the oaths without charge. Every application for a permit, extension or driver's license shall be accompanied by the following fee, none of which is refundable:

- (a) Class A, B, C (4-year) license with endorsements --  
age 21 years and older .....\$40.00
- (b) Class A, B, C (3-year) license with endorsements --  
age 18 to 21 years .....\$30.00
- (c) Class A, B, C (1-year) license with endorsements --  
age 20 years .....\$15.00
- (d) Class D (3-year) license -- under age 18 years .....\$25.00
- (e) Class D (3-year) license -- age 18 to 21 years .....\$25.00
- (f) Class D (1-year) license -- age 17 years or age 20 years .....\$15.00
- (g) Four-year Class D license -- age 21 years and older .....\$30.00
- (h) Eight-year Class D license -- age 21 to 63 years .....\$55.00
- (i) ~~Class A, B, C instruction~~ Commercial learner's permit .....\$29.00
- (j) Class D instruction permit or supervised instruction permit .....  
.....\$15.00
- (k) Duplicate driver's license or permit issued under  
section 49-318, Idaho Code .....\$15.00
- (l) Driver's license extension issued under section  
49-319, Idaho Code .....\$10.00
- (m) License classification change (upgrade) .....\$25.00
- (n) Endorsement addition .....\$15.00
- (o) Class A, B, C skills tests not more than .....\$70.00
- (p) Class D skills test .....\$24.00
- (q) Motorcycle endorsement skills test .....\$10.00
- (r) Knowledge test .....\$ 3.00

- 1 (s) Seasonal driver's license .....\$39.00
- 2 (t) One time motorcycle "M" endorsement .....\$15.00
- 3 (u) Motorcycle endorsement instruction permit .....\$15.00
- 4 (v) Restricted driving permit or restricted school attendance
- 5 driving permit .....\$60.00

6 (2) A person who applies for a driver's license or a driver's license  
 7 renewal may designate a voluntary contribution of two dollars (\$2.00) for  
 8 the purpose of promoting and supporting organ donation. Such a contribution  
 9 shall be treated as a voluntary contribution to the organ donation contribu-  
 10 tion fund created in section 49-2447, Idaho Code, and not as a driver's li-  
 11 cense fee.

12 (3) Every application shall state the true and full name, date of birth,  
 13 sex, declaration of Idaho residency, Idaho residence address and mailing ad-  
 14 dress, if different, of the applicant, height, weight, hair color, and eye  
 15 color, and the applicant's social security number as verified by the social  
 16 security administration. If an applicant has submitted an application pur-  
 17 suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-  
 18 cant may state, in his or her application pursuant to this section, the ap-  
 19 plicant's alternative Idaho mailing address in place of his or her Idaho res-  
 20 idence address and mailing address. Notwithstanding the provisions of sec-  
 21 tion 49-303(13), Idaho Code, an applicant for a nondomiciled class A, B or  
 22 C driver's license or nondomiciled commercial learner's permit having res-  
 23 idency in a state that is prohibited from issuing class A, B or C driver's  
 24 licenses or commercial learner's permits, as provided in 49 CFR 384, is ex-  
 25 cepted from providing proof of Idaho residency and an Idaho mailing address.

26 (a) The requirement that an applicant provide a social security number  
 27 as verified by the social security administration shall apply only to  
 28 applicants who have been assigned a social security number.

29 (b) An applicant who has not been assigned a social security number  
 30 shall:

31 (i) Present written verification from the social security admin-  
 32 istration that the applicant has not been assigned a social secu-  
 33 rity number; and

34 (ii) Submit a birth certificate, passport or other documentary  
 35 evidence issued by an entity other than a state or the United  
 36 States; and

37 (iii) Submit such proof as the department may require that the ap-  
 38 plicant is lawfully present in the United States.

39 A driver's license, commercial learner's permit or any instruction  
 40 permit issued on and after January 1, 1993, shall not contain an appli-  
 41 cant's social security number. Applications on file shall be exempt  
 42 from disclosure except as provided in sections 49-202, 49-203, 49-203A  
 43 and 49-204, Idaho Code.

44 (c) Every application for a class A, B or C license shall state where the  
 45 applicant has been licensed for the preceding ten (10) years and under  
 46 which of the following driving categories the applicant will operate:

47 (i) Non-excepted interstate. The applicant operates or expects  
 48 to operate in interstate commerce, and is required to provide a  
 49 medical examiner's certificate;

(ii) Excepted interstate. The applicant operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted by the federal motor carrier safety administration from all or parts of the qualification requirements of federal motor carrier safety regulation 49, part 391, and is therefore not required to provide a medical examiner's certificate;

(iii) Non-excepted intrastate. The applicant operates only in intrastate commerce and is subject to and meets all Idaho driver qualification requirements and the applicable parts of federal motor carrier safety regulation 49, part 391, and is required to provide a medical examiner's certificate; or

(iv) Excepted intrastate. The applicant operates in intrastate commerce, but engages exclusively in exempted transportation or operations as listed in section 67-2901B(2), Idaho Code, and the applicable parts of federal motor carrier safety regulation 49, part 391, and is therefore not required to provide a medical examiner's certificate.

All applications shall also state whether the applicant has previously been licensed as a driver, and if so, when and by what state or country, and whether a driver's license or privileges have ever been suspended, revoked, denied, disqualified, canceled or whether an application has ever been refused, and if so, the date of and reason for the suspension, revocation, denial, disqualification, cancellation or refusal and the applicant's oath that all information is correct as signified by the applicant's signature.

(d) The applicant must submit proof of identity acceptable to the examiner or the department and date of birth as set forth in a certified copy of his birth certificate. When a certified copy of his birth certificate or a delayed birth certificate is impossible to obtain from a vital statistics agency, another government issued document may be submitted that provides satisfactory evidence of a person's full legal name and date of birth acceptable to the examiner or the department.

(e) Every applicant for a class A, B or C driver's license or commercial learner's permit shall provide proof of United States citizenship or lawful permanent residency in the United States upon application for issuance, transfer, upgrade or renewal, unless the applicant's driving record already contains documentation confirming United States citizenship or lawful permanent residency. Every applicant for a nondomiciled class A, B or C driver's license or commercial learner's permit domiciled in a foreign country must provide an unexpired employment authorization document issued by the department of homeland security or an unexpired foreign passport accompanied by an approved I-94 form documenting the applicant's most recent admittance into the United States.

(df) Individuals required to register in compliance with section 3 of the federal military selective service act, 50 U.S.C. App. 451 et seq., as amended, shall be provided an opportunity to fulfill such registration requirements in conjunction with an application for a driver's license, commercial learner's permit or instruction permit. Any regis-

tration information so supplied shall be transmitted by the department to the selective service system.

(4) Whenever an application is received from a person previously licensed in another jurisdiction, the department shall request a copy of the driver's record from the other jurisdiction and shall contact the national driver register. When received, the driver's record from the previous jurisdiction shall become a part of the driver's record in this state with the same force and effect as though entered on the driver's record in this state in the original instance.

(5) Whenever the department receives a request for a driver's record from another licensing jurisdiction, the record shall be forwarded without charge.

(6) The department shall contact and notify the commercial driver license information system of the proposed application for a class A, B or C driver's license or commercial learner's permit to ensure identification of the person and to obtain clearance to issue the license.

(7) When the fees required under this section are collected by a county officer, they shall be paid over to the county treasurer not less often than monthly, who shall immediately:

(a) Deposit an amount equal to five dollars (\$5.00) from each driver's license except an eight-year class D license, or any class D instruction permit application fees, application for a duplicate driver's license or permit, classification change, seasonal driver's license and additional endorsement, and ten dollars (\$10.00) from each eight-year class D driver's license, in the current expense fund;

(b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle endorsement and motorcycle endorsement instruction permit fee in the current expense fund;

(c) Deposit an amount equal to three dollars (\$3.00) from each fee for a knowledge test in the current expense fund;

(d) Deposit an amount equal to ten dollars (\$10.00) from each fee for a motorcycle endorsement skills test in the current expense fund; provided however, if a contractor administers the skills test he shall be entitled to the ten dollar (\$10.00) fee;

(e) Remit the remainder to the state treasurer; and

(f) Deposit seventeen dollars and fifty cents (\$17.50) from each fee for a class D skills test into the county current expense fund, unless the test is administered by a department-approved contractor, in which case the contractor shall be entitled to seventeen dollars and fifty cents (\$17.50) of each fee.

(8) When the fees required under this section are collected by a state officer or agency, they shall be paid over to the state treasurer.

(9) The state treasurer shall distribute the moneys received from fees imposed by the provisions of this section, whether collected by a county officer or by a state officer or agency as follows:

(a) Two dollars (\$2.00) of each fee for a four-year driver's license or seasonal driver's license, and four dollars (\$4.00) of each fee for an eight-year class D driver's license, and one dollar and fifty cents (\$1.50) of each fee charged for driver's licenses pursuant to subsection (1) (b), (d) and (e) of this section, and fifty cents (50¢) of each



1 fee charged for driver's licenses pursuant to subsection (1)(c) and  
 2 (f) of this section, shall be deposited in the emergency medical ser-  
 3 vices fund II created in section 56-1018A, Idaho Code, and four dollars  
 4 (\$4.00) of each fee charged pursuant to subsection (1)(a), (g) and (s)  
 5 of this section and eight dollars (\$8.00) of each fee charged pursuant  
 6 to subsection (1)(h) of this section and three dollars (\$3.00) of each  
 7 fee for driver's licenses pursuant to subsection (1)(b), (d) and (e) of  
 8 this section, and one dollar (\$1.00) of each fee charged for driver's  
 9 licenses pursuant to subsection (1)(c) and (f) of this section shall be  
 10 deposited in the emergency medical services fund III created in section  
 11 56-1018B, Idaho Code;

12 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,  
 13 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)  
 14 of each fee charged for a license pursuant to subsection (1)(b) of this  
 15 section, and eight dollars and sixteen cents (\$8.16) of each fee charged  
 16 for a license pursuant to subsection (1)(c) of this section shall be de-  
 17 posited in the state highway account;

18 (c) Twenty dollars (\$20.00) of each fee for a ~~class A, B or C instruction~~  
 19 commercial learner's permit or driver's license classification change  
 20 shall be deposited in the state highway account;

21 (d) Four dollars (\$4.00) of each fee for a ~~class A, B or C instruction~~  
 22 commercial learner's permit shall be deposited in the emergency medical  
 23 services fund III created in section 56-1018B, Idaho Code;

24 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class  
 25 A, B or C driver's license, class A, B or C driver's license extension,  
 26 or additional endorsement shall be deposited in the state highway ac-  
 27 count;

28 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle  
 29 endorsement and motorcycle endorsement instruction permit shall be de-  
 30 posited in the state highway account;

31 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year  
 32 class D driver's license, and ten dollars and sixty cents (\$10.60) of  
 33 each fee for an eight-year class D driver's license, and four dollars  
 34 (\$4.00) of each fee charged for a license pursuant to subsection (1)(d)  
 35 and (e) of this section, and one dollar and thirty-three cents (\$1.33)  
 36 of each fee charged for a license pursuant to subsection (1)(f) of this  
 37 section shall be deposited in the driver training fund;

38 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a  
 39 four-year class D driver's license, and twenty dollars and forty cents  
 40 (\$20.40) of each fee for an eight-year class D driver's license, and ten  
 41 dollars and fifty cents (\$10.50) of each fee charged for a license pur-  
 42 suant to subsection (1)(d) and (e) of this section, and six dollars and  
 43 eighty-three cents (\$6.83) of each fee charged for a license pursuant  
 44 to subsection (1)(f) of this section shall be deposited in the highway  
 45 distribution fund;

46 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D in-  
 47 struction permit, duplicate class D license or permit, and class D li-  
 48 cense extension shall be deposited in the driver training fund;

(j) Seven dollars and forty cents (\$7.40) of each fee for a class D instruction permit, duplicate class D license or permit, and class D license extension shall be deposited in the highway distribution fund;

(k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test shall be deposited in the state highway account;

(l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D driver's license, and two dollars (\$2.00) of each fee for an eight-year class D driver's license, and one dollar (\$1.00) of each fee charged for a license pursuant to subsection (1)(b), (d) and (e) of this section, and thirty-four cents (34¢) of each fee charged for a license pursuant to subsection (1)(c) and (f) of this section shall be deposited in the motorcycle safety program fund established in section 33-4904, Idaho Code;

(m) Six dollars and fifty cents (\$6.50) of each fee for a class D skills test shall be deposited into the state highway account; and

(n) Each voluntary contribution of two dollars (\$2.00) as described in subsection (2) of this section, less actual administrative costs associated with collecting and transferring such contributions, shall be deposited into the organ donation contribution fund created in section 49-2447, Idaho Code.

(10) The contractor administering a class A, B or C skills test shall be entitled to not more than sixty dollars (\$60.00) of the skills test fee. A contractor administering a class A, B or C skills test may collect an additional fee for the use of the contractor's vehicle for the skills test.

(11) Sixty dollars (\$60.00) of each restricted driving permit and each restricted school attendance driving permit shall be deposited in the state highway account.

(12) The department may issue seasonal class B or C driver's licenses to drivers who are employees of agri-chemical businesses, custom harvesters, farm retail outlets and suppliers, and livestock feeders that:

(a) Will only be valid for driving commercial vehicles that normally require class B or C commercial driver's licenses;

(b) Will be valid for seasonal periods that begin on the date of issuance and that are not to exceed one hundred eighty (180) days in a twelve (12) month period;

(c) May only be obtained twice in a driver's lifetime;

(d) Are valid only within a one hundred fifty (150) mile radius of the place of business or farm being serviced; and

(e) Will be valid only in conjunction with valid Idaho class D driver's licenses.

(13) The department may issue seasonal class B or C driver's licenses to drivers who:

(a) Have not violated the single license provisions of applicable federal regulations;

(b) Have not had any license suspensions, revocations or cancellations;

(c) Have not had any convictions in any vehicle for any offense listed in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic offense;

- 1 (d) Have at least one (1) year of driving experience with a class D or  
 2 equivalent license in any type motor vehicle; and  
 3 (e) Are at least sixteen (16) years old.

4 SECTION 7. That Section 49-313, Idaho Code, be, and the same is hereby  
 5 amended to read as follows:

6 49-313. EXAMINATION OF APPLICANTS. (1) The sheriff, his deputy or  
 7 authorized agents of the department shall examine every applicant for an  
 8 instruction permit, commercial learner's permit, restricted school at-  
 9 tendance driving permit, seasonal driver's license, driver's license or a  
 10 motorcycle endorsement, except as otherwise provided by law. The examina-  
 11 tion shall include a vision screening and a test of the applicant's ability  
 12 to read and understand highway signs regulating, warning, and directing  
 13 traffic. A skills test shall be required for an applicant who has not been  
 14 previously licensed for the class of license requested, or who holds a li-  
 15 cense issued by another country unless a reciprocal agreement is in force.  
 16 However, a skills test may be required for any and all other applicants at  
 17 the discretion of the examiner or department for a class A, B, C or D driver's  
 18 license or a motorcycle endorsement. In addition, the applicant's knowledge  
 19 of traffic laws of this state and when a motorcycle endorsement is applied  
 20 for, the applicant's knowledge of safe motorcycle operating practices and  
 21 traffic laws specifically relating to motorcycle operation shall be tested  
 22 by a written examination, except as provided in section 49-319, Idaho Code.  
 23 At the discretion of the examiner, the prescribed written examination may be  
 24 conducted orally.

25 (2) The knowledge and skills examinations for applicants for driver's  
 26 licenses in class A, B or C shall be conducted in compliance with 49 CFR part  
 27 383.

28 (3) The skills test for a class A, B, C or D driver's license or for any  
 29 endorsement shall be given by the department or its authorized agents. The  
 30 skills examiner for a motorcycle endorsement shall be certified by the divi-  
 31 sion of professional-technical education.

32 (4) The department shall not issue the following endorsements except as  
 33 provided:

34 (a) A tank, double/triple trailer, or hazardous material endorsement  
 35 unless the applicant, in addition to all other applicable qualifica-  
 36 tions, has passed an appropriate knowledge test.

37 (b) A passenger endorsement unless the applicant, in addition to all  
 38 other applicable qualifications, has passed an appropriate knowledge  
 39 and skills test.

40 (c) A school bus endorsement unless the applicant, in addition to all  
 41 other applicable qualifications, has passed appropriate knowledge and  
 42 skills tests. Until September 30, 2005, the department may waive the  
 43 school bus endorsement skills test requirement if the applicant meets  
 44 the conditions set forth in accordance with 49 CFR part 383.123.

45 (5) Any person failing to pass a knowledge or skills test for a class  
 46 A, B, C or D driver's license, or a knowledge test for a seasonal driver's  
 47 license, or any endorsement may not retake the test within three (3) calendar  
 48 days of the failure.

1 (6) Any person retaking a knowledge or skills test for a driver's li-  
 2 cense shall pay the appropriate testing fee as specified in section 49-306,  
 3 Idaho Code.

4 (7) The motorcycle skills test for a motorcycle endorsement shall be  
 5 waived by the department:

6 (a) On and after September 1, 1998, if the applicant presents satisfac-  
 7 tory evidence of successful completion of a recognized motorcycle rider  
 8 training course approved by the division of professional-technical ed-  
 9 ucation;

10 (b) On and after September 1, 1998, if the applicant presents evi-  
 11 dence of a motorcycle endorsement on his current license by a state or  
 12 province which requires a motorcycle skills test equivalent to that re-  
 13 quired by Idaho law as determined by the division of professional-tech-  
 14 nical education;

15 (c) Until September 1, 1998.

16 (8) At the discretion of the department, an alternate skills test for  
 17 the motorcycle endorsement may be administered when the endorsement is for  
 18 operation of a three-wheeled motorcycle only.

19 (9) The department or its authorized agents may refuse to give an appli-  
 20 cant a skills test if there are reasonable grounds to believe that the safety  
 21 of the applicant, public, or the examiner would be jeopardized by doing so.  
 22 Reasonable grounds would include, but not be limited to, the applicant's in-  
 23 ability to pass the vision screening, written tests, or a statement by a li-  
 24 censed physician stating the applicant is not physically able to drive a mo-  
 25 tor vehicle.

26 (10) The department or its authorized agents may deny issuance or re-  
 27 newal of a driver's license or endorsement to any applicant who does not meet  
 28 the licensing requirements for the class of driver's license or endorsement  
 29 being renewed or issued.

30 (11) Skills examinations for seasonal driver's licenses shall be  
 31 waived.

32 SECTION 8. That Section 6, Chapter 354, Laws of 2013, be, and the same is  
 33 hereby amended to read as follows:

34 SECTION 6. Section 2 of this act shall be in full force and effect ~~on and~~  
 35 ~~after July 1, 2014, or~~ when the Director of the Idaho Transportation Depart-  
 36 ment submits to the Secretary of State in writing that the Idaho Transporta-  
 37 tion Department's information technology system has been updated to support  
 38 the Organ Donation Contribution Fund, ~~whichever date is later.~~